

REMARKS

Claims 1 – 7 and 9 – 31 remain in the application and stand finally rejected.

Applicant would like to thank Examiner John Lee for telephonic interviews conducted on December 19, 2005, and on February 7, 2006, with Francis Montgomery (reg. no. 41,202). During each of the two interviews it was discussed and agreed upon that the current Final Office Action dated October 7, 2005, is improper since it does not respond to the Amendment After Final submitted on July 27, 2005 (entered via a Request for Continued Examination mailed on September 7, 2005) and is a copy of the Final Office Action mailed June 6, 2005 (the Office Action Summary explicitly states that it is responsive to a communication filed on December 23, 2004). After each interview, it was Applicant's understanding that the Examiner would issue a new office action within a month. Since Applicant has not yet received a new office action, the previous Amendment After Final (submitted July 27, 2005) attached hereto is being submitted, and it is respectfully requested that such Amendment After Final be entered (if it has not already been entered into the record, as it should have been, with the Request for Continued Examination mailed on September 7, 2005).

Applicant hereby petitions the Commissioner for any extension fees that may be required for submission of this Preliminary Amendment and the accompanying Request for Continued Examination, and the Commissioner is hereby authorized to charge any fees that may be required for this Preliminary Amendment and the accompanying Request for Continued Examination or credit any overpayment to Deposit Account No. 19-2179.

April 7, 2006
(Date)

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Respectfully submitted,

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